

Please type a plus sign (+) inside this box ☒

PTO/SB/05 (03-01)
Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 22311-04015
First Inventor Gorski, et al.
Title Growth Arrest Homeobox Gene
Express Mail Label No. EL084649384US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- ☐ Applicant claims small entity status.
See 37 CFR 1.27.
- ☒ Specification [Total Pages 45]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 15]
- ☐ Oath or Declaration [Total Pages 2]
 - ☐ Newly executed (original or copy)
 - ☒ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement [] Power of Attorney
(when there is an assignee)
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 [] Copies of IDS Citations
- ☒ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
- ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☒ Other: Substitute sequence list

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: 09

Prior application information:

Examiner R. Hudson

Group Art Unit: 1652

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

(Insert Customer Number or Bar Code label here)

or ☐ Correspondence address below

Name PAMELA A. DOCHERTY
Address
City Candice State Zip Code Moore
Country Telephone (Typed or printed name of Sender)
Fax

Name (Print/Type) PAMELA A. DOCHERTY Registration No. (Attorney/Agent) 40,591

Signature Pamela A. Docherty Date 8/27/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

EXPRESS MAILING CERTIFICATE

"EXPRESS MAIL" Mailing Label No.: EL084649384 0S

Date of Deposit : August 27, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231

Typed or printed name of person signing this certificate:

Signed: Candice Moore



24024

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Examiner: Richard Hutson
Gorski et al.)	
)	Art Unit: 1652
Serial No.: 09/078,465)	
)	
Filed: May 14, 1998)	
)	
For: HOMEBOX GENE)	Docket No.: 22311/04015

Assistant Commissioner of Patents

Washington, D.C. 20231

**STATEMENT REGARDING COMPUTER READABLE FORM OF
SEQUENCE LISTING**

Dear Sir:

The computer readable form in the above-described continuation application is identical with the last-filed computer readable form submitted with parent Application No. 09/078,465. In accordance with 37 C.F.R. 1.821(e), please use the last-filed computer readable form of the sequence listing, which was filed in the parent Application on September 23, 1997, as the computer readable form of the sequence listing in the instant application. It is understood that the Patent and Trademark Office will make the necessary change in Application number and filing date for the computer readable form that will be used in the instant application.

A paper copy of the Sequence Listing is included in the specification of the instant, continuation application.

Respectfully submitted,

Dated: August 27, 2001

By: Pamela A. Docherty
Pamela A. Docherty, Reg. No. 40,591
(216) 622-8416

TO: "280" 622-8416